IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 4084 of 2005

Between:

Smt.P.Chiranjeevamma, w/o P.Venkata Ramana,
Shop No.5, Parumanchala Village, Jupadu Bunglow Mandal, Kurnool District.

..... PETITIONER

AND

1 The District Collector, Kurnool District.
2 Revenue Divisional Officer, Kurnool.
3 The Mandal Revenue Officer, Jupadu Bunglow Mandal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction, preferably in the nature of writ of mandamus declaring the action of the 2nd respondent in issuing the impugned suspension orders vide proceedings Rc.No.1618/04, dt.2-12-2004 on the ground that petitioner is not distributing the commodities from July, 2004 to November, 2004 even though 2nd respondent is fully aware that it is 3rd respondent who is not allowed the petitioner to distribute the commodities and the same was brought to the notice of the 2nd and 1st respondents by way of representations dt.2-8-2004 and 9-8-2004 wherein 2nd and 1st respondents made an endorsement directing the 3rd respondent to allow the petitioner to distribute the commodities, as illegal, arbitrary and violation of Article 14, 19, 21 of Constitution of India and consequently direct the respondents to allow the petitioner to distribute the commodities for the said shop and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.

Counsel for the Petitioner: MR.K.RATHANGA PANI REDDY

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following :

***ORAL ORDER*:**

Heard both sides. Perused the material placed before me.

This is a case where the petitioner's licence as fair price shop dealer was cancelled by the 2nd respondent – R.D.O. However, no appeal, which is an efficacious remedy available under the statute, has been availed of by the petitioner.

Therefore, the writ petition is closed at the stage of admission itself with liberty being granted to the petitioner to prefer an appeal before the appellate authority seeking redressal and on such appeal being preferred by the petitioner, the appellate authority shall dispose of the same in accordance with law, as expeditiously as possible. No costs.

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kvsn 07-03-2005

To

1 The District Collector, Kurnool District.
2 Revenue Divisional Officer, Kurnool.
3 The Mandal Revenue Officer, Jupadu Bunglow Mandal, Kurnool District.

4 Two copies to the GP for Civil Supplies, High Court buildings, Hyderabad.

5 Two CDs.